

REGULATION MONTGOMERY COUNTY PUBLIC SCHOOLS

Related Entries: JEA-RB, JED, JED-RA, JEE-RA
Responsible Office: Deputy Superintendent of Schools

Enrollment and Placement of International and Foreign Students

I. PURPOSE

To set forth the procedures for enrolling and placing exchange, foreign, and international students in a Montgomery County public school.

II. DEFINITIONS

- A. A *qualified student* is a student 5 years old or older and under 21.
- B. An *eligible student* is a student who has reached the age of majority (18) or is emancipated.
- C. An *exchange student* holds a J-1 visa and is under an approved exchange program.
- D. A *foreign student* is defined as any person of school age who is not a U.S. citizen, maintains an official residency in another country, and comes to the United States with visa status to visit or study.
- E. *International students* are citizens of other countries with bona fide residency in Montgomery County who have not attended school in the United States at any time during the prior two years.
- F. *Bona fide residence* is one's actual or true residence, maintained in good faith, and does not include a temporary residence or superficial residence established for convenience or for the purpose of free school attendance in the Montgomery County Public Schools.

III. BACKGROUND

- A. Any student who is a U.S. citizen and who meets the residency requirements set forth in Policy JED: *Residency, Tuition and Enrollment*, and Regulation JEA-RB: *Enrollment of Students*, may enroll at his/her home school, or consortia office, if

he/she has attended a U.S. school, including schools run by Department of Defense Education Activity and American schools in foreign countries. The International Student Admissions Office (ISAO) will provide assistance with translating or interpreting educational records when necessary.

- B. International students and U.S. citizens who have not attended a U.S. school at any time during the prior two years, should be referred to ISAO.
- C. Foreign and exchange students must be referred to ISAO.

IV. PROCEDURES

- A. Parent/Guardian/Sponsor responsibilities:
 - 1. Contacting ISAO for an appointment
 - 2. Completing ISAO Intake Form
 - 3. Presenting enrollment documents as delineated in Regulation JEA-RB to ISAO
- B. ISAO Processing Responsibilities:
 - 1. Procedures for processing the enrollment of exchange students:
 - a) The Montgomery County Public Schools (MCPS) provides free education to exchange students who come to reside in our county with a confirmed host family for a maximum of two academic semesters, if all the following conditions are met.
 - (1) The exchange program organization is approved by the Council on Standards for International Educational Travel.
 - (2) The exchange program organization adheres to federal regulations issued by the U.S. Department of State.
 - (3) The exchange program adheres to the MCPS regulation and guidelines for the admission and enrollment of exchange students.
 - (4) The authorized representative of the exchange program lives within a 120-mile geographic radius of Montgomery County. This person is responsible for students placed in the school.

- (5) Applicants must be enrolled in a secondary school program in their country of residency, and must be between the ages of 15 and 17 at the time of enrollment in MCPS.
- (6) Students have not completed the equivalent of a high school program. Students are informed that they are not eligible for a diploma, graduation, or credit evaluation.
- (7) The exchange program has made arrangements for the applicant to have a current J-1 visa for the duration of school attendance and to live with a confirmed host family that has bona fide residency in Montgomery County. MCPS will not approve applications for students with temporary host families. Host families must have a completed criminal background check before the application can be approved. If an extreme circumstance/hardship situation results in a change in host family, the foreign exchange agency is responsible for finding a new host family within the same school cluster. The student will be referred to the school serving the community where the host family resides. The period of enrollment may range from one to two full academic semesters. Exchange students coming from a country with an academic calendar opposite to that of MCPS may attend two consecutive academic semesters in two different academic calendar years.
- (8) The applicant's current visa status and immunization compliance have been verified.
- (9) The applicant's school records indicate a B or better grade average.
- (10) The applicant presents school recommendations regarding behavior and ability to adapt to a different school environment.
- (11) The applicant has demonstrated ability to function academically in English without ESOL support.
- (12) The applicant has met the criteria set forth above. The ISAO supervisor will discuss each applicant with the home school

principal. The ISAO supervisor determines eligibility and grants approval.

- b) Applications and supporting documentation are presented from April 15 to July 15 for the next academic year, and from October 15 to December 31 for the second semester of the current year. (Refer to MCPS Form 335-66: *Application for Admission of Exchange Students in MCPS*.)
- c) The ISAO Guidelines for the Admission and Enrollment of Exchange Students in MCPS are available on the MCPS web site

2. Procedures for processing the enrollment of foreign students:

- a) Verify each student's birth date and immunization record, as well as parent/guardian identity, residency, and review visa status, if applicable.
- b) Review each student's educational history, evaluate credentials, recommend awarding of official school credits, according to Maryland state and MCPS regulations; determine school assignment; and recommend grade placement.
- c) Review each student's record for special education documentation, including an Individualized Education Program (IEP) or equivalent or a psychological or educational assessment for the purpose of consideration for special education services. If such documentation is found, the ISAO supervisor will notify the principal of the school at which the student is eligible to enroll, as well as the special education cluster supervisor assigned to that school.
- d) Identify information shared during the intake process that may lead a school team to monitor a student for possible referral for screening for special education services. The ISAO supervisor will report this information to the principal of the school at which the student is eligible to enroll, as well as the special education cluster supervisor assigned to that school.
- e) Complete the ISAO Intake and Referral process;

- f) Inform parent/guardian of the next steps to be taken regarding residency and tuition by Residency Compliance Services, if applicable, and enrollment.
3. Procedures for processing foreign student status applicants for I-20, *Certificate of Eligibility for Nonimmigrant F-1 Student Status* (I-20 Form):
- a) Foreign students who reside in another country and come (or intend to come) to the United States with the sole intention to study are considered nonresident students in MCPS and their admission in school is subject to the completion of Immigration Form I-20, *Certificate of Eligibility for Nonimmigrant (F-1) Student Status* by ISAO. The following conditions are required to obtain an I-20 Form in MCPS:
 - (1) Applicant is not a bona fide resident of Montgomery County.
 - (2) ISAO verifies applicant's immunization compliance, visa status, and bona fide Montgomery County residency of applicant's sponsor.
 - (3) Applicant must be under 18 years old and must have completed the equivalency of eighth grade.
 - (4) Receiving school is not overutilized and is available according to the factors in Regulation JEE-RA: *Transfer of Students*.
 - (5) Applicant has demonstrated ability to function academically in English without ESOL support.
 - (6) Applicant's school records indicate a B or better grade average.
 - (7) Applicant presents school recommendations regarding behavior and ability to adapt to a different school environment.
 - (8) Applicant's sponsor pays school tuition in advance for the duration of the projected stay, as indicated on Form I-20.

- (9) Applicant's sponsor provides evidence of financial capability to provide the student with a means of support.
 - (10) Applicant's sponsor provides a notarized custody letter from the applicant's parents.
 - b) The period of enrollment may range from one full semester to a maximum of one academic year. Applications for I-20 are accepted only from April 15 to July 15, for the next academic year, and from October 15 to December 31, for the second semester of the current year.
 - c) ISAO is responsible for assisting I-20 holders in complying with Immigration and Naturalization Service (INS) regulations pertaining to their nonimmigrant student status.
4. Procedures for processing the enrollment of foreign students holding B-1 or B-2 visas:
- Holders of B-1 or B-2 visas who come for the sole purpose of visiting the United States are presumed not to be bona fide residents of Montgomery County and, therefore, are referred to Residency Compliance Services.
5. Procedures for referring enrollment of international students and U.S. citizens who have not attended a U.S. school at any time during the prior two years:
- a) Verification of each student's birth date and immunization record, as well as parent/guardian identity and residency
 - b) Review of each student's educational history; evaluation of credentials; recommendation for awarding of official school credits, according to Maryland state and MCPS regulations; determination of school assignment; and recommendation for grade placement
 - c) Identification and referral to the Division of ESOL/Bilingual Programs of students with interrupted education (a two-year or greater schooling gap) for consideration of Multidisciplinary Education, Training, and Support (METS) program services

- d) Notification to the school principal and the special education cluster supervisor of those students qualified to receive special education services
- e) Completion of the ISAO Intake and Referral process
- f) Informing parent/guardian of the next steps to be taken to complete the enrollment process

C. ISAO General Responsibilities:

- 1. Inform parents/guardians/sponsors, private organizations, and the public of enrollment requirements in MCPS.
- 2. Maintain records, compile information, and prepare reports regarding international student admissions, as required by MCPS administrators or the Board of Education.
- 3. Enter data into relevant databases pertaining to ISAO student information.
- 4. As appropriate, coordinate with Residency Compliance Services to facilitate the processing of international and foreign student admissions.
- 5. Adhere to the MCPS *Handbook for Enrollment, Placement, and Assistance to International Students*

D. Local School Principal/Designee Responsibilities:

- 1. Direct inquiries from public and private organizations and individuals regarding the processing, enrollment, and placement of exchange, foreign and international students, and U.S. citizens who have not attended a U.S. school at any time during the prior two years, to the ISAO for review and response.
- 2. Refrain from signing any immigration forms. ISAO is the only unit in MCPS authorized by the Immigration and Naturalization Service to sign these forms.
- 3. After processing through ISAO, enroll exchange, foreign, and international students. If the ISAO Intake Form is stamped "STUDENT IS NOT TO BE ENROLLED IN SCHOOL UNTIL TUITION IS PAID OR CLEARANCE IS APPROVED BY RESIDENCY COMPLIANCE SERVICES", the student

must not be enrolled until additional notification is received from the Division of Controller or Residency Compliance Services. (See Regulation JED-RA: *Residency and Tuition*)

4. Notify ISAO if the exchange, foreign, or international student does not enroll in the local school within 30 days of receipt of the ISAO Intake Form.
5. Withdraw exchange students at completion of their approved academic program.
6. Upon request, provide information that may be needed from ISAO for MCPS administrators, Residency Compliance Services, or the Board of Education regarding exchange, foreign, and international students.

Regulation History: Formerly part of Regulation 560-1 and JED-RA; established as a new, separate regulation August 26, 1987; revised May 2, 1995; revised July 6, 2001; revised September 15, 2003; revised February 24, 2005; revised November 21, 2006.